

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

**MOBILITY CREDIT UNION,
Plaintiff,**

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§
§

v.

Civil No. 3:16-CV-02968-G-BK

**GASTON BENNETT MUGNIER,
Defendant.**

§

SCHEDULING ORDER

Pursuant to Special Order No. 3-251, this case was referred by the District Judge to the Magistrate Judge for pretrial management, including the determination of non-dispositive motions and issuance of findings of fact and recommendations to the District Judge on dispositive motions. The Court will resolve non-dispositive motions in accordance with its *Standing Order on Non-Dispositive Motions* also issued this date. Under Federal Rules of Civil Procedure 16(b) and 26(f), the Court's Civil Justice Expense and Delay Reduction Plan (Misc. Order No. 46), and the local civil rules, and after having considered any proposals submitted by the parties, the Court enters this scheduling order.

I. PRETRIAL DEADLINES

A. Joinder of Parties

All motions for leave to join parties must be filed no later than **January 16, 2017**.

B. Amendment of Pleadings

All motions for leave to amend pleadings must be filed no later than **February 15, 2017**.

C. Discovery and Discovery Motions

All discovery requests shall be initiated in time to be completed by April 28, 2017. Any motions to compel discovery must be filed no later than March 24, 2017 in order to allow sufficient time for determination prior to the expiration of the discovery period.

D. Expert Witnesses

Any party who bears the burden of proof on an issue shall designate its expert witnesses and provide expert reports to the other party no later than April 14, 2017.

Any party without the burden of proof on an issue shall designate its responsive expert witness and provide expert reports to the other party no later than May 30, 2017.

Rebuttal experts must be designated within twenty (20) days of the disclosure of an opposing expert.

Objections to expert witnesses under *Daubert v. Merrell Dow Pharmaceuticals*, 509 U.S. 579 (1993), shall be filed no later than June 23, 2017. Objections not filed shall be deemed waived.

E. Settlement Conference

A settlement conference will be scheduled at a later date, to occur after the close of discovery.

F. Joint Estimate of Trial Length and Status Report

The parties must file a joint estimate of trial length and joint status report concerning the progress of settlement negotiations no later than one week after the settlement conference.

G. Dispositive Motions

No later than May 26, 2017, all dispositive motions shall be filed.

H. Motions Not Otherwise Covered

A party must file a motion not otherwise covered by this order no later than May 26, 2017.

II. TRIAL

This case will be set for trial by separate order. The order will also establish trial-type deadlines, including any modifications to the requirements of the local civil rules regarding such matters as submitting the joint pretrial order and proposed jury instructions, and filing witness lists, exhibit lists, deposition excerpt designations, objections, and motions *in limine*.

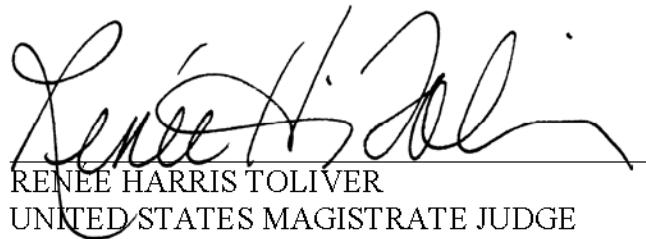
Any questions regarding this order may be directed to Courtroom Deputy Jane Amerson at **214-753-2169**.

III. CONSENT TO MAGISTRATE JUDGE

Federal law provides that, with the consent of all parties, the court can reassign this case to the magistrate judge for further proceedings and trial. In the Dallas Division of the Northern District of Texas, the assignment is made to the magistrate judge randomly assigned to the case at the time it was docketed. This procedure does not adversely affect the right of jury trial or of appeal directly to the circuit court. A party is free to withhold consent without adverse substantive consequences.

Nevertheless, the court advises the parties that consenting to proceed before the magistrate may result in a speedier disposition of the case, as the undersigned is typically available on short notice to assist the parties in resolving their disputes in a timely fashion. If a consent form is not filed within 20 days of the entry of this order, the court will deem that as evidence that the parties wish that the cause of action proceed before the district judge to whom the case was assigned at the time it was originally filed. Should all parties subsequently consent to trial by a magistrate judge, however, the district judge may in his discretion so order. A consent form is attached for the convenience of the parties to the extent that they wish to consent to proceed before the undersigned.

SO ORDERED, November 23, 2016.



RENEE HARRIS TOLIVER
UNITED STATES MAGISTRATE JUDGE

**IN THE UNITED STATES DISTRICT COURT
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Plaintiff,**

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v.

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**GASTON BENNETT MUGNIER,
Defendant.**

§

CONSENT TO PROCEED BEFORE A UNITED STATES MAGISTRATE JUDGE

In accordance with the provisions of 28 U.S.C. § 636(c), the parties to the above captioned civil matter hereby waive their right to proceed before a District Judge of the United States District Court and consent to have a United States Magistrate Judge conduct any and all further proceedings in the above styled case and order entry of a final judgment.

Party or Counsel of Record

Date

Note: Return this form to the District Clerk only if it has been executed by all parties to the case.

ORDER OF REASSIGNMENT

IT IS HEREBY ORDERED that the above captioned matter be reassigned to United States Magistrate Judge Renée Harris Toliver for the conduct of all further proceedings and the entry of judgment in accordance with 28 U.S.C. § 636(c) and the foregoing consent of the parties.

DATED: _____

UNITED STATES DISTRICT JUDGE